

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

**RACHELLE SHAW and MARKELL
HAREWOOD, Each Individually and on
Behalf of All Others Similarly Situated**

PLAINTIFFS

vs.

No. 5:22-cv-396-M-KS

**OAK CITY PROTECTION, LLC
ALPHA DEFENSE GROUP CORP.,
AUSTIN TAYLOR and JASON YOUNG**

DEFENDANTS

**MOTION FOR CLERK'S ENTRY OF DEFAULT—DEFENDANTS OAK CITY
PROTECTION, LLC, ALPHA DEFENSE GROUP CORP., AND AUSTIN TAYLOR**

Plaintiffs Rachelle Shaw and Markell Harewood, each individually and on behalf of all others similarly situated, ("Plaintiffs"), by and through their undersigned counsel, and for their Motion for Clerk's Entry of Default—Defendants Oak City Protection, LLC, Alpha Defense Group Corp., and Austin Taylor ("Motion"), they do hereby state and allege as follows:

1. Plaintiffs filed this lawsuit on September 29, 2022. See ECF No. 1
2. Plaintiffs served Defendant Oak City Protection, LLC, with a summons and copy of the Complaint on October 25, 2022. See ECF No. 15-1.
3. Plaintiffs served Defendant Alpha Defense Group Corp. with a summons and copy of the Complaint on February 28, 2023. See ECF No. 15-2.
4. Plaintiffs served Defendant Austin Taylor with a summons and copy of the Complaint on October 25, 2022. See ECF No. 15-3.

5. Defendant Oak City Protection, LLC's, deadline for filing and serving an Answer or Motion to Dismiss was November 15, 2022, and no other time limit was fixed by this Court.

6. Defendant Oak City Protection, LLC, has not filed or served an Answer or Motion to Dismiss in accordance with Rule 12(a)(1). See Sanford Decl. ¶ 7, attached hereto as Exhibit 1.

7. No extension for filing or serving a proper Answer or Motion to Dismiss has been requested or granted by Defendant Oak City Protection, LLC. See Sanford Decl. ¶ ¶ 7–8.

8. Defendant Alpha Defense Group Corp.'s deadline for filing and serving an Answer or Motion to Dismiss was March 21, 2023, and no other time limit was fixed by this Court.

9. Defendant Alpha Defense Group Corp. has not filed or served an Answer or Motion to Dismiss in accordance with Rule 12(a)(1). See Sanford Decl. ¶ 7.

10. No extension for filing or serving a proper Answer or Motion to Dismiss has been requested or granted by Defendant Alpha Defense Group Corp. See Sanford Decl. ¶ ¶ 7–8.

11. Defendant Austin Taylor's deadline for filing and serving an Answer or Motion to Dismiss was November 15, 2022, and no other time limit was fixed by this Court.

12. Defendant Austin Taylor has not filed or served an Answer or Motion to Dismiss in accordance with Rule 12(a)(1). See Sanford Decl. ¶ 7.

13. No extension for filing or serving a proper Answer or Motion to Dismiss has been requested or granted by Defendant Austin Taylor. See Sanford Decl. ¶ ¶ 7–8.

14. Defendant Austin Taylor is not in military service, so 50 U.S.C. § 3931 is no bar to entry of a default judgment against Defendant Austin Taylor. See Department of Defense Status Report attached hereto as Exhibit 2.

15. Defendants Oak City Protection, LLC, Alpha Defense Group Corp., and Austin Taylor are in default, and the Clerk should enter a default to each Defendant as mandated by Rule 55(a).

WHEREFORE, premises considered, Plaintiffs Rachelle Shaw and Markell Harewood respectfully request that the Clerk enter the default of Defendants Oak City Protection, LLC, Alpha Defense Group Corp., and Austin Taylor; for attorney's fees and costs incurred herein; and for all other good and proper relief to which they may be entitled, whether or not specifically requested herein.

Respectfully submitted,

**RACHELLE SHAW and MARKELL
HAREWOOD, Individually
and on Behalf of All Others
Similarly Situated, PLAINTIFFS**

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